

# EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No.: 1:24-cv-00629-CCE-JLW**

**KENYA TEASLEY,**

**Plaintiff,**

**v.**

**TYLER TECHNOLOGIES, INC.; and  
ABIGAIL DIAZ,**

**Defendants.**

**DECLARATION OF  
AMINAH THOMPSON**

I, Aminah Thompson, declare under penalty of perjury:

1. I am an adult citizen and resident of Durham County, North Carolina, and I have personal knowledge of the facts set forth in this declaration.

2. I am currently the elected Clerk of Superior Court for Durham County North Carolina, which position is a constitutional officer of North Carolina. N.C. CONST. Art. VI, § 9(3). I have held this position since December 5, 2023.

3. As Durham County Clerk of Superior Court, I am responsible for, *inter alia*, maintaining the records of the Durham County district and superior courts pursuant to rules established by the Director of the North Carolina Administrative Office of the Courts (NCAOC). *See, e.g.*, N.C.G.S. §§ 7A-103(6) (“The clerk of superior court is authorized to: . . . (6) Certify and exemplify, under seal of his court, all documents, papers or records therein, which shall be received in evidence in all the courts of the State.”); 7A-109(a) (“Each clerk shall maintain such records, files, dockets and indexes as are prescribed by rules of the Director of the Administrative Office of the Courts.”). Accordingly, I am the custodian of the records of the Durham County district and superior courts.

4. The NCAOC has a records retention schedule (RRS) that provides for the retention and destruction of court records.
5. Pursuant to RRS schedule 5.1F “Non-Life or Death [felony] Cases that are dismissed without leave, dismissed by the court, or result in a finding of not guilty or not responsible” are to be “RETAIN[ED] UNTIL: case disposed PLUS: 195 days THEN: destroy without NCAOC approval.” Exhibit A (Retention Schedule 5.1F).
6. In accordance with RRS 5.1F, the Durham County Clerk of Superior Court’s office does not maintain a physical file for the following cases because the cases were dismissed without leave by the district attorney on October 17, 2001, and therefore, the case files were approved for destruction 195 days from those dismissal dates:
  - State of North Carolina v Kenya Renee Teasley, 01CR045648-310
  - State of North Carolina v Kenya Renee Teasley, 01CR045649-310
7. In addition to case files for criminal cases, the Clerk of Court is directed to maintain an index of all criminal actions. N.C.G.S. §§ 7A-109(b)(4). Historically, the criminal index was maintained in the Automated Criminal/Infraction System (ACIS), which is an electronic database that is maintained by the NCAOC. *See, e.g., LexisNexis Risk Data Mgmt. Inc. v. North Carolina Admin. Office of the Courts*, 368 N.C. 180, 181 (2015).

While NCAOC maintains the database,

the information contained in ACIS is entered on a continuing, real-time basis by the individual Clerks of Superior Court, or by an employee in that Clerk's office, from the physical records maintained by that Clerk. Any subsequent modifications to that information are under the exclusive control of the office of the Clerk that initially entered the information, so that personnel in one Clerk's office cannot change records entered into ACIS by personnel in a different Clerk's office.

*Id.*

8. The North Carolina Supreme Court has determined that “the ACIS database serves as a court record—albeit an electronic one.” *State v. Waycaster*, 375 N.C. 232, 243 (2020).
9. The ACIS database includes, *inter alia*, the name, judgment, offense date, and case disposition. Historically, employees in my office manually entered this information into the ACIS system.
10. Unlike physical court files, the court record information in the ACIS system is not subject to the NCAOC’s RRS.
11. The ACIS criminal index was available to the public through computer terminals located in each County courthouse.
12. On April 29, 2024, the Durham County Clerk of Superior Court’s office transitioned to eCourts, which is a package of new software applications and technology infrastructure improvements that will transition the North Carolina court system from primarily paper records to primarily digital records. Included in this package is the integrated case management system (ICMS), which is an electronic repository for court records, including the case files and indexes.
13. Following the transition to eCourts, most court records are not maintained in the ICMS, though there are still some limited physical files maintained.
14. Upon implementation of the ICMS in a county, the data in legacy indexes, including ACIS, migrated to the ICMS.
15. Following implementation of the ICMS, the indexes required pursuant to N.C.G.S. 7A-109(b) are available to the public on the internet through the Portal Smart Search, available at <https://portal-nc.tylertech.cloud/Portal/>, or on computer terminals at each courthouse. The Portal can be searched by case number or party name. The Portal is a

software application that allows the public to view the court's case files and indexes that are stored in the Clerk's ICMS.

16. I have reviewed the attached Portal Smart Search records and hereby certify that they are true and accurate copies of the original criminal case index records of the Durham County district and superior courts. Exhibits B and C (Portal Docket Sheets for 01CR045648-310 and 01CR045649-310).

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 12<sup>th</sup> day of Sept, 2024.

  
Aminah Thompson

# EXHIBIT A

**Exhibit A to Declaration of Aminah Thompson,  
Teasley v. Tyler Tech. Inc. et al., 1:24-cv-00629-CCE-JLW (MDNC)**

STATE OF NORTH CAROLINA

Records of the Clerks of Superior Court



Records Retention and Disposition Schedule	V. Criminal and Infractions
*The records listed below are effective as of <b>July 19, 2024</b> .	

- All items require NCAOC approval for transfer to State Archives (AOC-A-120) or destruction of records (AOC-A-119) unless specifically stated otherwise.
- Where scanning is required, NCAOC audit of scans must be completed prior to destruction of records.
- Effective December 29, 2023, a "life or death" case is defined to mean any case that results in a sentence of life (whether with or without parole) or a death sentence. This definition applies to all cases resulting in either of those sentences, regardless of the date of offense, date charged, or date of conviction.

RRS No.	Record Types	Description	Disposition Instructions	Citation
5.1.	Case Files/Papers - both District and Superior Courts	These files contain the original documents filed in these cases. This includes charging documents, orders, warrants, etc. Since court reform, in District Court, these papers are held together in 5x9 inch envelopes known as "shucks." In the Superior Court, they are held together in flat folders equipped with document fasteners. Prior to court reform, these were typically kept in 5x9 inch expandable shucks.		
		<b>EXCEPTIONS: ANY PENDING CASES</b>		
5.1A.A60		<u>Prior to Court Reform: Misdemeanors and Felonies</u>		
		Life or Death Cases	RETAIN: 60 years	
		Non-Life or Death Cases	THEN: transfer to State Archives	
5.1B.<		<u>Since Court Reform: Misdemeanors</u>		
		Cases that are dismissed without leave, dismissed by the court, or result in a finding of not guilty or not responsible	RETAIN UNTIL: case disposed PLUS: 195 days THEN: destroy <u>without</u> NCAOC approval	
5.1C.<		Cases Containing Reportable Convictions	RETAIN UNTIL: case disposed and scanned/microfilmed THEN: destroy	G.S. 14-208.6(4)
5.1C.10		Impaired Driving Cases	RETAIN UNTIL: case disposed PLUS: 10 years from case disposition THEN: destroy	G.S. 20-4.01(24a)

\*Pursuant to the [Electronic Records and Imaging Policy](#), if paper files have been scanned in accordance with its procedures, the electronic version becomes the official record copy, and upon NCAOC approval, the original paper files may be destroyed.

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<u>RRS No.</u>	<u>Record Types</u>	<u>Description</u>	<u>Disposition Instructions</u>	<u>Citation</u>
5.1D.3	<b>Case Files/Papers - both District and Superior Courts (cont'd)</b>	All Other Disposed Misdemeanor Cases	RETAIN UNTIL: case disposition PLUS: 3 years from case disposition THEN: destroy	
		<u>Since Court Reform: Felonies</u>		
5.1E.A80		Life or Death Cases	RETAIN UNTIL: case disposed and scanned/microfilmed PLUS: 80 years from case initiation THEN: transfer to State Archives	
5.1F.<		Non-Life or Death Cases that are dismissed without leave, dismissed by the court, or result in a finding of not guilty or not responsible	RETAIN UNTIL: case disposed PLUS: 195 days THEN: destroy <u>without</u> NCAOC approval	
5.1G.<		H&I Felony convictions in district court	RETAIN UNTIL: case disposed and scanned/microfilmed THEN: destroy	
5.1H.<		Cases Containing Reportable Convictions		G.S. 14- 208.6(4)
5.1H.10		Impaired Driving Cases	RETAIN UNTIL: case disposed PLUS: 10 years from case disposition THEN: destroy	G.S. 20- 4.01(24a)
5.1I.<		All Other Disposed Cases	RETAIN UNTIL: case disposed and scanned/microfilmed THEN: destroy	

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<u>RRS No.</u>	<u>Record Types</u>	<u>Description</u>	<u>Disposition Instructions</u>	<u>Citation</u>
5.1J.<		Expunged Cases	RETAIN UNTIL: removal of public electronic case record PLUS: 14 days THEN: destroy <u>without</u> NCAOC approval	
5.2.P	<b>Criminal Actions, Defendants Index to</b>	In all counties, this originally consisted of books containing the defendants’ names arranged alphabetically. Most counties later adopted a 3x5 inch index card system to serve this function. Now, all counties have transferred this function to the NCAOC Automated Criminal Infraction System (ACIS).	Retain <u>permanently</u> . (For books, see VIII, <u>Record Books</u> , 6C.A.60.)	
5.3.	<b>Evidence</b>	These are documents and other physical evidence entered into the record of court proceedings.	See Rule 14, <a href="#">General Rules of Practice for the Superior and District Court</a> , and <a href="#">North Carolina Clerks of Superior Court Procedures Manual</a> , Courtroom Procedures, Chapter 3: Clerk’s Handling of Evidence.	
5.3A.<		<b>EXCEPTION: Medical Records tendered to the clerk, not offered or admitted as evidence.</b>	RETAIN UNTIL: final judgment and no appeal PLUS: 30 days THEN: destroy <u>without</u> NCAOC approval	G.S. 1A-1, Rule 45(c)(2)
5.3B.<			RETAIN UNTIL: certification of a final decision from appellate court PLUS: 60 days THEN: destroy <u>without</u> NCAOC approval	

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RRS No.	Record Types	Description	Disposition Instructions	Citation
5.4.	<b>Felony Conviction Report</b>	Repealed on August 24, 2014		
5.5.	<b>Infractions, Case Files and Papers</b>	This record type came into being September 1, 1986. They are non-criminal violations of law not punishable by imprisonment.		
		<b>EXCEPTIONS: ANY PENDING CASE</b>		
5.5A.<		Cases that are dismissed without leave, dismissed by the court, or result in a finding of not guilty or not responsible	RETAIN UNTIL: case disposition PLUS: 195 days THEN: destroy <u>without</u> NCAOC approval	
5.5B.2		All Other Disposed Cases	RETAIN UNTIL: case disposition PLUS: 2 years from case disposition THEN: destroy	-
5.6.1	<b>Initiating Process, Magistrates Record of</b> AKA: Warrant Issue Register	This is a list of all warrants and orders for arrest issued by the Magistrates.	RETAIN: 1 year THEN: destroy	
5.7.	<b>Infractions, Index to</b>	Repealed on August 24, 2014		
5.8.3	<b>Magistrate Calendars</b>  See also RRK 13.1 Minute Record	As the cases on these calendars are heard, the magistrate notes the actions taken directly on the calendar. These are then filed with other district court calendars and considered minutes of the court.	RETAIN UNTIL: end of court session PLUS: 3 years THEN: destroy	

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<u>RRS No.</u>	<u>Record Types</u>	<u>Description</u>	<u>Disposition Instructions</u>	<u>Citation</u>
5.9.	<b>Minutes of the Criminal Court</b>  See also RRK 13.1 Minute Record	These minutes are maintained for both Superior and District Courts. The Superior Court minutes are filed by the session and the District Court by the month. Typically, these are copies of the calendars for the court, with handwritten entries showing the action taken.		
5.9A.10		Superior Court	RETAIN UNTIL: end of session PLUS: 10 years THEN: destroy	
5.9B.3		District Court	RETAIN UNTIL: end of session PLUS: 3 years THEN: destroy	
5.10.	<b>Probation Parole Status Transmittal</b> (Form F-113)	Repealed on August 24, 2014		
5.11.	<b>Search Warrants, Nontestimonial Identification Orders, and Administrative Inspection Warrants</b>	When one of these documents is returned to the clerk, it is filed in the case folder of the case to which it pertains. If there is no related pending case, such documents are filed as provided in Rule 9.4 of the Rules of Recordkeeping.		
5.11A.<		Copies awaiting return of original	RETAIN UNTIL: original is returned to the clerk's office THEN: destroy	
5.11B.3		Originals in holding file	RETAIN UNTIL: 3 years past initiation THEN: destroy	

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<u>RRS No.</u>	<u>Record Types</u>	<u>Description</u>	<u>Disposition Instructions</u>	<u>Citation</u>
5.12.4	<b>Secured Case Action Reports</b>	This is a monthly ACIS report generated by the NCAOC in Raleigh. It is provided to supervisory Clerk personnel in each county. It lists all criminal and infraction cases in which a case name was changed, deleted, or expunged.	RETAIN UNTIL: verified PLUS: current year plus 3 years from case initiation THEN: destroy	-
5.13A.4FY	<b>Used Uniform Traffic Citation Booklets/Log</b>	Any used citation books found to have discrepancies as described per Rule of Recordkeeping 9.12.	RETAIN UNTIL: end of current fiscal year PLUS: 3 preceding fiscal years THEN: destroy <u>without</u> NCAOC approval	
5.13B.<		Out-of-date citation books that have never been issued.	RETAIN UNTIL: destruction is noted on citation log THEN: destroy <u>without</u> NCAOC approval	
5.13C.1		Any used citation books without a Rule of Recordkeeping 9.12 discrepancy.	RETAIN UNTIL: received back from law enforcement agency they were issued to PLUS: 1 year THEN: destroy <u>without</u> NCAOC approval	
5.13D.P		Citation Issue Log	Retain <u>permanently</u> .	

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<u>RRS No.</u>	<u>Record Types</u>	<u>Description</u>	<u>Disposition Instructions</u>	<u>Citation</u>
5.14.	<b>Verbatim Record of Court Proceedings and Audio Electronic Recordings</b>  Including: Court Reporter Notes and Clerk Log Notes	Original tapes, notes, discs, or other records made to allow for the later preparation of a verbatim transcript of the proceedings.		
5.14A.80		Criminal Life or Death Cases	RETAIN: 80 years from case initiation THEN: destroy	
5.14B.10		Criminal Non-Life or Death Cases	RETAIN: 10 years from case initiation THEN: destroy	
5.14C.<		When a typed transcript is returned to the clerk by the Court of Appeals or the Supreme Court.	Return to one of the parties involved in the action.  Destroy <u>without</u> NCAOC approval.	
5.15.	<b>Warrant Issue Register</b>	See <u>Initiating Process, Magistrates Record of</u> , RRS No. 5.6.1		
5.16.<	<b>Automatic Expunctions Report</b>	This is a daily report generated by the NCAOC in Raleigh that lists all automatically expunged cases.	RETAIN UNTIL: verified and end of 14-day holding period THEN: destroy <u>without</u> NCAOC approval	

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# EXHIBIT B

Case Summary

Case No. 01CR045648-310

STATE OF NORTH CAROLINA VS KENYA RENEE  
TEASLEY

§  
§

Location: **Durham District Court**  
Filed on: **04/17/2001**

Case Information

Offense	Statute	Degree	Offense Date	Filed Date	Case Type: Criminal Case Status: <b>10/17/2001 Disposed</b>
01. OBTAIN PROPERTY FALSE PRETENSE	14-100	FH	04/14/1998	04/17/2001	
Arrest					
Date: 04/17/2001					
Agency: DURHASO - Durham County Sheriffs Office					
Offense Reports					
Agency: Durham County Sheriffs Office					
201 East Main St					
Durham, NC, 27701					

Related Cases

Assignment Information

**Current Case Assignment**  
Case Number 01CR045648-310  
Court Durham District Court  
Date Assigned 04/17/2001

Party Information

**Defendant** **TEASLEY, KENYA RENEE**  
1023 APT. C NORTHWOOD  
DURHAM, NC 27705-0000  
Black  
Female

**State** **STATE OF NORTH CAROLINA**  
Other

**Complainant** **PARRISH, G L**  
505 W. CHAPEL HILL S  
DURHAM, NC 27701-0000

Case Events

10/17/2001 ACIS Special Conditions  
*INDICTED ON RELATED CHARGES*  
Charges:  
01. OBTAIN PROPERTY FALSE PRETENSE (2632)  
Created: 10/17/2001 12:00 AM

04/17/2001 Warrant For Arrest Issued  
*CRRPRC:W*

Case Summary

Case No. 01CR045648-310

Created: 04/17/2001 12:00 AM

04/17/2001 Legacy Process Served Date

Created: 04/17/2001 12:00 AM

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Dispositions

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10/17/2001 **Disposition**

01. OBTAIN PROPERTY FALSE PRETENSE

VD-District Dismissals w/o Leave by DA - No Plea Agreement

Created: 10/17/2001 12:00 AM

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Hearings

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10/26/2001 **Disposition Hearing** (9:00 AM)

*Hearing Held*

Created: 10/26/2001 12:00 AM



# EXHIBIT C

Case Summary

Case No. 01CR045649-310

STATE OF NORTH CAROLINA VS KENYA RENEE  
TEASLEY

§  
§

Location: **Durham District Court**  
Filed on: **04/17/2001**

Case Information

Offense	Statute	Degree	Offense Date	Filed Date	Case Type: Criminal Case Status: <b>10/17/2001 Disposed</b>
01. OBTAIN PROPERTY FALSE PRETENSE	14-100	FH	08/25/1998	04/17/2001	
Arrest Date: 04/17/2001 Agency: DURHASO - Durham County Sheriffs Office					
Offense Reports Agency: Durham County Sheriffs Office 201 East Main St Durham, NC, 27701					

Related Cases

Assignment Information

Current Case Assignment

Case Number 01CR045649-310  
Court Durham District Court  
Date Assigned 04/17/2001

Party Information

Defendant	<b>TEASLEY, KENYA RENEE</b> 1023 APT. C NORTHWOOD DURHAM, NC 27705-0000 Black Female
State	<b>STATE OF NORTH CAROLINA</b> Other
Complainant	<b>PARRISH, G L</b> 505 W. CHAPEL HILL S DURHAM, NC 27701-0000

Case Events

10/17/2001	ACIS Special Conditions <i>INDICTED ON RELATED CHARGES</i> Charges: 01. OBTAIN PROPERTY FALSE PRETENSE (2632) Created: 10/17/2001 12:00 AM
04/17/2001	Warrant For Arrest Issued <i>CRRPRC:W</i>

Case Summary

Case No. 01CR045649-310

Created: 04/17/2001 12:00 AM

04/17/2001 Legacy Process Served Date

Created: 04/17/2001 12:00 AM

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Dispositions

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10/17/2001 **Disposition**

01. OBTAIN PROPERTY FALSE PRETENSE

VD-District Dismissals w/o Leave by DA - No Plea Agreement

Created: 10/17/2001 12:00 AM

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Hearings

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10/26/2001 **Disposition Hearing** (9:00 AM)

*Hearing Held*

Created: 10/26/2001 12:00 AM